

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

COMSCORE, INC.,

Plaintiff,

V.

**THE NIELSEN COMPANY (US), LLC,
and NETRATINGS, LLC**

Defendants.

Civil Action No. 1:11-CV-290-LMB/TRJ

**DEFENDANTS THE NIELSEN COMPANY (US), LLC'S AND NETRATINGS, LLC'S
MOTION TO TRANSFER TO THE NORFOLK DIVISION FOR ASSIGNMENT TO
THE HONORABLE MARK S. DAVIS**

Defendants The Nielsen Company (US), LLC and NetRatings, LLC (“Nielsen” or “Defendants”) respectfully move this Court to transfer this case (“the Alexandria Case”) pursuant to 28 U.S.C. §§1404(a) and (b) to the Norfolk Division of this District to permit assignment to the Honorable Mark S. Davis. Judge Davis is presiding over the first-filed and related case entitled *The Nielsen Company (US), LLC v. comScore, Inc.*, Case No. 2:11-cv-00168-MSD/TEM (“the Norfolk Case”).

As set forth in the accompanying Memorandum, this case should be transferred to the Norfolk Division to permit assignment to Judge Davis because the Norfolk Case involves the same parties and counsel, the assertion of various patents that, although none is asserted in both cases, all relate to the same technology for monitoring and measuring online and computer activity, and overlapping discovery (the parties have agreed to the cross-use of the documents in both cases). Transfer of this case to the Norfolk Division would serve the interests of justice

because it would allow for the consolidation of these related actions before the same judge, providing for increased efficiency and judicial economy without prejudicing the parties.

Dated: April 29, 2011

Respectfully submitted,

/s/ Walter D. Kelley, Jr.

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CERTIFICATE OF SERVICE

I certify that on April 29, 2011, a copy of the foregoing was filed was filed electronically with the Clerk of Court using the ECF system which will send notification to the following ECF participants:

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Dated: April 29, 2011

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